

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

IMRAN KHAN, et al.,

Plaintiffs,

v.

BOARD OF DIRECTORS OF PENTEGRA
DEFINED CONTRIBUTION PLAN, et al.,

Defendants.

Case No. 7:20-cv-07561

**PLAINTIFFS' CONSENT MOTION TO WITHDRAW
RICHARD GREENBERG, GREGORY S. DIGSBY, LINDSEY CLARK, AND
CHRYSTAL LEWIS AS NAMED PLAINTIFFS**

Plaintiffs Imran Khan, Joan Bullock, and Pamela Joy Wood ("Plaintiffs") respectfully request that this Court permit named Plaintiffs Richard Greenberg, Gregory S. Digsby, Lindsey Clark, and Chrystal Lewis to withdraw as Named Plaintiffs in this action. Plaintiffs have conferred with Defendants and they do not object to the relief requested herein. The withdrawal

of Mr. Greenberg, Mr. Digsby, Ms. Clark, and Ms. Lewis is without prejudice to their status as class members should a class be certified in the case.

1. On September 15, 2020, Plaintiffs filed a motion to withdraw as named plaintiffs under the Employee Retirement Income Security Act ("ERISA").

Participants and beneficiaries of the Pension Benefit Guaranty Corporation ("PBGC") and other financial institutions (the "Plan"). Doc. 1; 29 U.S.C. § 1001, et seq. Plaintiffs filed this action against the Board of Directors of Pentegra Defined Contribution Plan for Financial Institutions, Pentegra Services, Inc., and John Does 1-20 in this Court, No. 7:20-cv-8503. Doc. 1.

Consent motion granted. The Clerk of Court is respectfully directed to terminate plaintiffs Richard Greenberg, Gregory S. Digsby, Lindsey Clark, and Chrystal Lewis as named plaintiffs in this action. The withdrawal as named plaintiffs is without prejudice to a determination of whether they qualify as class members should a class be certified in the case.

SO ORDERED.


Philip M. Halpern
United States District Judge

Dated: White Plains, New York
January 27, 2022

2. On October 13, 2020, Plaintiffs filed a motion to withdraw as named plaintiffs under the Employee Retirement Income Security Act ("ERISA").

and Chrystal Lewis filed an action against the Board of Directors of the Pentegra Defined Contribution Plan for Financial Institutions, Pentegra Services, Inc., and John Does 1-20 in this Court, No. 7:20-cv-8503. Doc. 1.

3. On November 11, 2020, Defendants moved to consolidate the two actions. Doc. 56.

4. On December 11, 2020, the Court entered an Order consolidating the two matters and directing all plaintiffs to file a Consolidated Amended Complaint. Doc. 72.

5. Plaintiffs filed a Consolidated Amended Complaint on December 28, 2020, also adding Pamela Joy Wood as a Named Plaintiff. Doc. 74.

6. Plaintiffs now move to withdraw Richard Greenberg, Gregory S. Digsby, Lindsey Clark, and Chrystal Lewis to withdraw as Named Plaintiffs in this action.

7. Mr. Greenberg, Mr. Digsby, Ms. Clark, and Ms. Lewis's withdrawal will not prejudice Defendant because the remaining named Plaintiffs intend to pursue the same claims on behalf of the same participants and beneficiaries of the Plan.

8. Should the Court grant Plaintiffs' Motion to withdraw as Named Plaintiffs, Plaintiffs Imran Khan, Joan Bullock, and Pamela Joy Wood will continue to serve as named Plaintiffs and will continue to seek to represent the class of participants in the Plans.

9. Plaintiffs request that the Court's ruling on this motion not affect the determination of whether Mr. Greenberg, Mr. Digsby, Ms. Clark, or Ms. Lewis qualifies to be a class member, should a class ultimately be certified in this case.

For these reasons, Plaintiffs request that Plaintiffs Richard Greenberg, Gregory S. Digsby, Lindsey Clark, and Chrystal Lewis be withdrawn as named plaintiffs in this matter.

Dated: January 26, 2022

/s/ Troy A. Doles
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CERTIFICATE OF SERVICE

I hereby certify that, on January 26, 2022, a copy of the foregoing was filed electronically using the Court's CM/ECF system, which will provide notice of the filing to all counsel of record.

By: /s/ Troy A. Doles
Troy A. Doles